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PATENT  
Customer No. 22,852  
Attorney Docket No. 4329.3183

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
MASAHIRO KIYOTOSHI ) Group Art Unit: 2811  
Application No.: 10/712,377 ) Examiner: Unknown  
Filed: November 14, 2003 ) Confirmation No.: 9596  
For: SEMICONDUCTOR DEVICE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a concise statement of relevance of the non-English language documents.

1. Japanese Publication No. 9-92786 discloses a MIM capacitor made between two metal layers and the capacitor dielectric thickness and permittivity are different from those of interlayer dielectrics. This MIM is made by fabrication of bottom electrode and first dielectric, removal of first dielectric on MIM area and deposition of second dielectric and top electrode.

2. Japanese Publication No. 1-241858 discloses a MIS capacitor made in the semiconductor substrate. This MIS capacitor consists of two same shape capacitors and the metal electrode of the first capacitor is connected to the semiconductor electrode of the second capacitor, and the metal electrode of the second capacitor is connected to the semiconductor electrode of the first capacitor in order to attain symmetric circuit.

3. Japanese Publication No. 59-55047 discloses a MOS capacitor that consists of two components which are MOS capacitor on p-substrate and MOS capacitor on n-substrate and they are parallel connected in order to attain good capacitance linearity to applied voltage.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

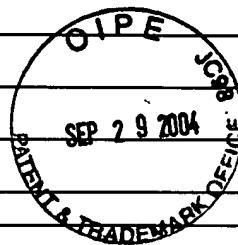
Dated: 9/29/04

By: 

Richard V. Burgujian  
Reg. No. 31,744

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	4329.3183	Appn. No.	10/712,377
Applicant	Kiyotoshi		
Filing Date	November 14, 2003	Group:	2811



## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	2004/0169216 A1	9/2/04	Kiyotoshi			
	2004/0169255 A1	9/2/04	Kiyoshi			

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	9-92786	4/4/97	Japan			
	1-241858	9/26/89	Japan			
	59-55047	3/29/84	Japan			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce